

# UNITED STATES CONTINUING UTILITY PATENT APPLICATION

under 37 C.F.R. § 1.53(b)

Page 1

Atty. Docket No. 05032-00031

EV323344020US

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10: The undersigned hereby certifies that this United States Patent Application and all papers noted herein as being attached, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 today, **July 2, 2003**, and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By

  
Express Mail Label No.: EV323344020 US

21712 U.S. PRO  
10/612242  
07/02/03

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

Enclosed herewith is a continuing patent application and the following papers:

Inventor(s) (or application identifier): **Yvo Maria Franciscus Graus, Hobbe Friso Smit,  
Albertus Dominicus Marcellinus Erasmus Osterhaus, and  
Robert Johan Joseph Hageman**

Title of Invention: **CHLOROGENIC ACID AND AN ANALOG THEREOF FOR IMMUNE  
SYSTEM STIMULATION**

- ☒ Continuation
- ☐ Divisional
- ☐ Continuation-in-Part

of prior application No. 09/734,389, filed December 11, 2000.

1. ☒ Specification 25 pages (including specification, claims, abstract) / 36 claims (2 independent), after entry of the Preliminary Amendment.
2. ☒ Declaration/Power of Attorney:
  - ☒ Copy from Prior Application (for continuation or divisional application)
  - ☐ Newly Executed Declaration (for CIP application)
  - ☐ Deferred under 37 C.F.R. § 1.53(f)
  - ☐ Deletion of Inventor(s) - Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b)
  - ☒ Incorporation by Reference - The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein

**UNITED STATES CONTINUING UTILITY PATENT APPLICATION**  
under 37 C.F.R. § 1.53(b)

Page 2

Atty. Docket No. 05032-00031

3. ☐ \_\_\_ Distinct sheets of ☐ Formal ☐ Informal Drawings
4. ☒ Preliminary Amendment is enclosed.
- ☒ Amend the specification by inserting before the first line the sentence : --This application is a continuation of U.S. Patent Application Serial No. 09/734,389, filed on December 11, 2000, which is hereby incorporated herein by reference.--
5. ☒ Information Disclosure Statement
- ☒ Form 1449
- ☐ A copy of each cited prior art reference
6. ☒ Assignment
- ☐ Assignment with Cover Sheet attached
- ☒ Assignment filed in prior application. Application assigned to: **Nutricia N.V.**, of Zoetermeer, THE NETHERLANDS.
7. ☐ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s) (provisional and foreign applications):

Country	Application Number	Date of Filing (day, month, year)

8. ☒ Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)
US	09/734,389	11 DEC 2000

9. ☐ Priority document(s)
10. ☐ Small Entity Statement
- ☐ Small Entity status was claimed in prior application. Small Entity status is still proper and desired
- ☐ Small Entity status is being claimed hereby.
- ☐ is no longer claimed
11. ☐ Nucleotide and/or Amino Acid Sequence Submission
- ☐ Computer Readable Copy
- ☐ Paper Copy (identical to computer copy)
- ☐ Statement verifying identity of above copies

**UNITED STATES CONTINUING UTILITY PATENT APPLICATION**  
under 37 C.F.R. § 1.53(b)

Page 3

Atty. Docket No. 05032-00031

12. Calculation of Fees:

FEES FOR	EXCESS CLAIMS	FEE	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))			\$750.00
Total Claims in Excess of 20 (37 C.F.R. § 1.16(c))	16	18.00	\$288.00
Independent Claims in Excess of 3 (37 C.F.R. § 1.16(b))	0	84.00	\$0.00
Multiple Dependent Claims (37 C.F.R. § 1.16(d))	0	280.00	\$0.00
Subtotal - Filing Fee Due			\$1,038.00
	MULTIPLY BY		
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)	0.50		\$519.00
<b>TOTAL FILING FEE DUE</b>			<b>\$519.00</b>
Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h))	0	40.00	\$0.00
<b>GRAND TOTAL DUE</b>			<b>\$519.00</b>

13. PAYMENT is:

- ☒ The Commissioner is authorized to debit the instant filing fee, in the amount of \$519.00, and any other fees during the pendency of this application under 37 C.F.R. §§ 1.16, 1.17 and 1.18, to Deposit Account No. 19-0733. A duplicate copy of this letter is enclosed.

☐ not included, but deferred under 37 C.F.R. § 1.53(f)

14. All correspondence for the attached application should be directed to:

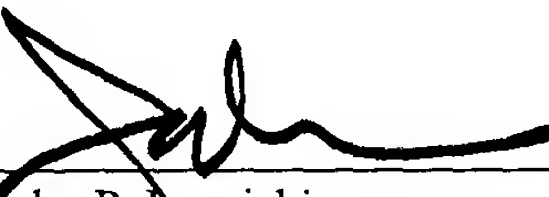
John P. Iwanicki                      Customer No. 22910  
BANNER & WITCOFF, LTD.  
28 State Street, 28th Floor  
Boston, MA 02109  
Telephone: (617) 227-7111  
Facsimile: (617) 227-4399

16. Other: Application Data Sheets (4 pages); return postcard.

Date:

July 2, 2003

By:

  
John P. Iwanicki  
Reg. No. 34,628

JPI/lh

Enclosures